City of Brookfield's Comments on the Cooperative Boundary Plan between Town of Waukesha and Town of Brookfield

The Proposed Plan is...

- Incomplete
- Internally inconsistent
- Non-compliant with state statutes

Incomplete

- ► Shared Services
 - No details on what, how, where.
- ► Future Land Transfers
 - No details on which lands, when transfer will occur, or how it will occur

Inconsistent

- Purpose including parcels with no full contribution to costs
- Construction and financing



LAND INFORKATION SYSTEMS DIVISION

Waukesha County GIS Map



Notes:

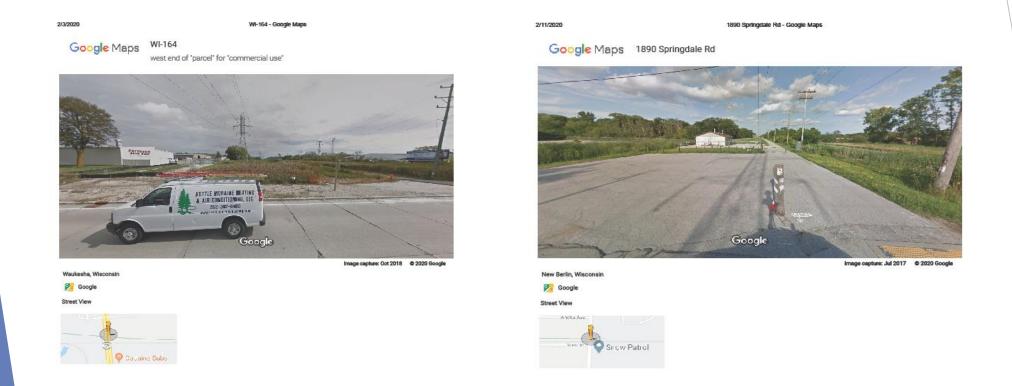
0 400.00 Feet

The information and depictions herein are for informational purposes and Waukesha County specifically disclaims accuracy in this reproduction and specifically admonshles and advises that if specific and precise accuracy is required, the same should be determined by procurement of certified maps, surveys, plats, Flood insurance Studies, or other official means. Waukesha County will not be responsible for any damages which result from third party use of the information and depictions herein, or for use which ignores this warning.



Printed: 2/10/2020

14th parcel - inconsistent with Plan purpose



Non-compliant

- ► Fails to meet requirements of Cooperative Boundary Plan statute, §66.0307(3)(d) and (4):
 - ▶ (3)(d) Content of plan; boundaries and services. The cooperative plan shall:
 - ▶ (4)PROCEDURE FOR ADOPTING COOPERATIVE PLAN.

§66.0307(3)(d): Content of plan; boundaries and services. The cooperative plan shall:

▶ 5. Describe the services to be provided to the territory covered by the plan, identify the providers of those services and indicate whether the provision of any service has received preliminary approval of any relevant governmental regulatory authority.

Necessary Approvals

- ▶ A TIF Joint Review Board
- Department of Revenue TIF
- Department of Natural Resource
- Department of Revenue TIF
- Public Service Commission
- City of Brookfield
- ► Town of Brookfield Sanitary District #4

§66.0307(3)(d): Content of plan; boundaries and services. The cooperative plan shall:

▶ 6. Include a schedule for delivery of the services described under subd. <u>5.</u>

§66.0307(3)(d): Content of plan; boundaries and services. The cooperative plan shall:

- ▶ 7. Include a statement explaining how provision under the plan for the delivery of necessary municipal services to the territory covered by the plan meets the approval criterion under sub. (5) (c) 3.
 - ▶ (5)(c)3. Adequate provision is made in the cooperative plan for the delivery of necessary municipal services to the territory covered by the plan.

(c) Comment on plan. A county zoning agency under s. 59.69 (2) or regional planning commission whose jurisdiction includes any participating municipality shall comment in writing on the plan's effect on the master plan adopted by the regional planning commission under s. 66.0309 (9), or development plan adopted by the county board or county planning agency under s. 59.69 (3), and on the delivery of municipal services, and may comment on any other aspect of the plan....

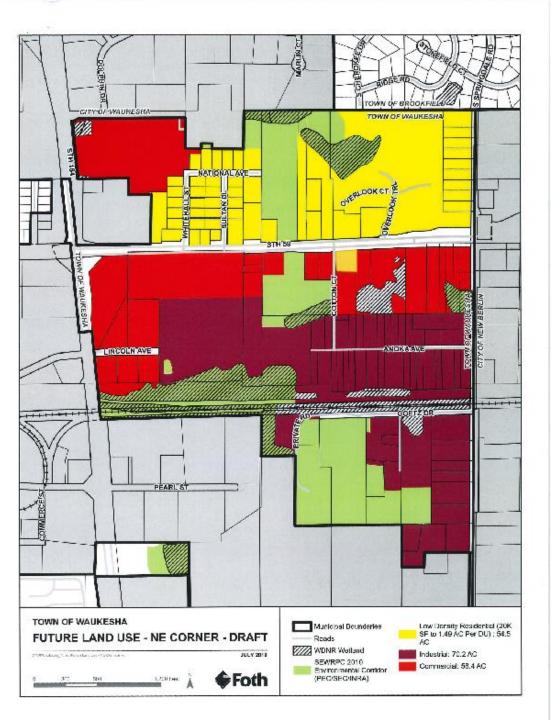
- ▶ (d) Adoption of final plan.
 - ▶ 1. Subject to subd. 2., after the public hearing under par. (b) and consideration of comments made on the proposed cooperative plan, the plan participants may revise the plan in response to the comments and may, by resolution adopted by each participating municipality, adopt a final version of the plan.

► (f) Submittal of final plan to department....Any written comment received by a participating municipality on any version of the cooperative plan shall be submitted to the department at the time that the cooperative plan is submitted.....

Missing comments from Waukesha County and Southeastern Wisconsin Regional Planning Commission means the Cooperative Boundary Plan was not adopted properly.

Inconsistent with Town of Waukesha's Comprehensive Plan

- ► Residential Uses
- ▶ Use of Tax Incremental Financing



Residential inconsistency

Tax incremental financing inconsistency

In 2004, TIF law was changed to allow Towns to create Tax Increment Districts (TIDs) for the purpose of Agricultural, Foresty, Manufacturing and Tourism (Wis. Stat. 60.85). In 2014, TIF law was again amended to allow Towns to create TIDs similar to Villages and Cities (Wis. Stat. 60.23), but requires certain criteria includings:

Town prior year equalized value must be at least \$500 million

Town prior year population must be at least 3,500

Sanitary Sewer Service is or will be provided before use or operation of any improvements. The Tax Incremental Financing Program is not available to Towns in the State only incorporated municipalities.

Town TIDs in Waukesha County include the Town of Brookfield and the Town of Lisbon.

Town of Waukesha <u>Smart Growth Plan, Comprehensive Development Plan</u>, Adopted - October 8, 2009, Plan Commission Recommended Draft - December 12, 2019, Ch. 8,p. 9

Inconsistent with Town of Brookfield's Comprehensive Plan

Not consistent with Waukesha County's Comprehensive Plan because the provision relied on is a recommendation for new, urban development and existing public sewer and water infrastructure, not redevelopment and no existing infrastructure.

Inconsistent with Town of Brookfield's Comprehensive Plan

- Town of Brookfield does not have a comprehensive plan.
- ▶ Being a "participant" in Waukesh County's Comprehensive Plan does not meet the statutory requirements of Wis. Stats. §66.1001 (Comprehensive Planning "Smart Growth" law).
- ▶ Department of Administration cannot approve the cooperative boundary plan because it cannot conduct the consistency analysis.
- Department of Administration cannot send it back for the participants to make changes because it would take too long for the Town of Brookfield to develop and adopt a comprehensive plan.